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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/073,527	02/11/2002	Subrata Mokerji	500-3013-U	6146

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EXAMINER

PIZIALI, ANDREW T

ART UNIT	PAPER NUMBER
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1775

DATE MAILED: 12/03/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/073,527

Applicant(s)

MOKERJI, SUBRATA

Examiner

Andrew T Piziali

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 45-63 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 45-63 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1 and 45-46, 48-50, 52-55, 57-58, 60 and 62 are rejected under 35 U.S.C. 102(e) as being anticipated by USPN 6,399,219 to Welty et al. (hereinafter referred to as Welty).

Regarding claims 1 and 45-46, 48-50, 52-55, 57-58, 60 and 62, Welty discloses a plastic, metal, or ceramic article (12) (see entire document including column 2, lines 24-29) with a decorative or shiny coating comprising a layer (13) (column 2, lines 30-39), directly applied to the article, comprised of a polymeric material such as polymethacrylate, a layer(s) (32) (column 5, lines 38-63) comprised of a metal such as titanium or zirconium, alternating with a layer(s) (34) (column 5, lines 38-63) comprised of a compound such as titanium nitride or zirconium nitride, and an outer layer (36) (column 8, lines 24-35) that improves chemical resistance.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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4. Claims 47, 51, 56, 59, 61 and 63 are rejected under 35 U.S.C. 103(a) as being unpatentable over Welty as applied to claims 1 and 45-46, 48-50, 52-55, 57-58, 60 and 62 above, and further in view of USPN 5,589,280 to Gibbons et al. (hereinafter referred to as Gibbons).

Welty discloses that the coating may comprise an outer layer (36) (column 8, lines 24-35) that improves chemical resistance, but fails to specifically mention a polymeric outer layer. Gibbons discloses that it is known in the art to apply an outer layer comprising polymeric material, such as polymethacrylate or the like, to a decorative or shiny coating, to provide corrosion resistance (column 3, lines 38-45 and column 8, lines 15-22). It would have been obvious to one having ordinary skill in the art at the time the invention was made to make the outer protective layer of Welty from a polymeric material, such as polymethacrylate or the like, as taught by Gibbons, because a polymeric material such as polymethacrylate or the like provides a chemical resistant outer layer and because it has been held to be within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use.

5. Claims 1 and 45-63 are rejected under 35 U.S.C. 103(a) as being unpatentable over USPN 5,589,280 to Gibbons.

Regarding claims 1 and 45-63, Gibbons discloses a decorative or shiny coating comprising a layer comprised of a polymeric material such as polymethacrylate (paragraph bridging columns 4 and 5), a layer comprised of a metal or metal oxide such as titanium, zirconium, titanium oxide, or zirconium oxide (column 5, line 63 through column 7, line 61), one or more additional layers comprised of a compound such as titanium nitride or zirconium nitride

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(column 7, line 64 through column 8, line 14), and a fourth layer comprised of a polymeric material such as polymethacrylate or the like (column 3, lines 38-45 and column 8, lines 15-22).

Gibbons discloses that the polymeric material may be a bi-layer material, applied or laminated onto a surface such as glass (column 5, lines 24-28). Gibbons fails to specifically mention a bi-layer material comprising metal/polymer or plastic/polymer, but Gibbons does disclose that the coating may be adhered to a metal or plastic article to form a reflector (column 3, lines 54-57). It would have been obvious to one having ordinary skill in the art at the time the invention was made to use a metal/polymer or plastic/polymer bi-layer material, as taught by Gibbons, because the resulting article would be a desirably durable reflector.

Although Gibbons teaches that the coating may be adhered to a metal or plastic article via an adhesive layer (column 3, lines 57-61), this teaching applies to a method of adhering a pre-constructed multi-layer coating to a metal or plastic article. This teaching does not apply to a method of forming a bi-layer material, which is a method of adhering a polymer layer to a metal or plastic article. The bi-layer material teaching (column 5, lines 24-28) does not teach or suggest the use of an adhesive layer, in fact, this teaching teaches away from using an adhesive layer by disclosing that the polymer layer is applied onto a surface of an article.

Response to Arguments

6. Applicant's arguments have been considered but are moot in view of the new grounds of rejection.

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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew T Piziali whose telephone number is (703) 306-0145. The examiner can normally be reached on Monday-Friday (8:00-4:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Deborah Jones can be reached on (703) 308-3822. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0661.

atp

g-12
ANDREW T. PIZIALI
PATENT EXAMINER
Deborah Jones
DEBORAH JONES
SUPERVISORY PATENT EXAMINER